

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: Sergey POPOV
Serial No.: 10/561,956
I.A. Filed: June 21, 2004
Title: SAFETY TROCAR OBTURATOR
Docket No. 1521-US

Examiner: Vy Q. Bui
Art Unit: 3773

RESPONSE TO OFFICE ACTION UNDER 37 CFR 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Office Action dated April 8, 2008.

Applicant's Representative, Daniel J. Swirsky, Reg. No. 45,145, spoke with Examiner Bui on August 7, 2008, and brought to the Examiner's attention the fact that a preliminary amendment was filed in the instant application on December 22, 2005, in which claims 1 – 45 were cancelled and new claims 46 – 68 added. A Notice of Non-Compliant Amendment dated April 20, 2007, was subsequently sent requesting that the claims section of the preliminary amendment be corrected and resubmitted, which was done on May 8, 2007, again cancelling claims 1 – 45 and adding new claims 46 – 68. However, in the Office Action dated April 8, 2008, cancelled claims 1 – 45 were examined rather than claims 46 – 68. Applicant therefore respectfully requests that claims 46 – 68 be examined, and a new, non-final Office Action or Notice of Allowance be issued.

APPLICANT(S): Sergey POPOV
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Petition For One-Month Extension Of Time Under 37 CFR 1.136(a)

The period for responding to the instant Office Action was set to expire on July 8, 2008. Applicant hereby requests that the period for responding to the instant Office Action be extended by one (1) month, so as to expire on August 8, 2008. Accordingly, this response is being timely filed.

The fee for a Petition for a One-Month Extension of Time is Sixty Dollars (\$60.00) dollars for a small entity. The United States Patent and Trademark Office is hereby authorized to charge Deposit Account 501380 for payment of Sixty Dollars (\$60.00) and any additional fee which is necessary in connection with the filing of this response and petition.

Favorable action on this response and petition is courteously solicited.

Respectfully submitted,



Daniel J. Swirsky
Agent for Applicant(s)
Registration No. 45,148

Dated: August 7, 2008

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